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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 O.Z. MARTIN,

11 Plaintiff,

No. CIV S-05-0934 FCD PAN P

12 vs.

13 EDWARD ALMEIDA, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On August 4, 2005, the magistrate judge filed findings and recommendations
20 herein which were served on plaintiff and which contained notice to plaintiff that any objections
21 to the findings and recommendations were to be filed within twenty days. Plaintiff has not filed
22 objections to the findings and recommendations.

23 The court has reviewed the file and finds the findings and recommendations to be
24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
25 ORDERED that:

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2. Claims against defendants Edward Almeida and Tom L. Carey are dismissed without prejudice.

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Judge